



DEPARTMENT OF PLANNING AND BUILDING

March 8, 2013

Bruce Fosdike  
1551 Leonard Place  
Cambria, CA 93428

Julie McGeever  
122 E. Arrellaga St.  
Santa Barbara, CA 93101

**SUBJECT: APPEAL OF KINGSTON BAY SENIOR LIVING, LLC./ DRC2012-00024**  
**HEARING DATE: MARCH 1, 2013 / PLANNING DEPARTMENT HEARINGS**

We have received an appeal on the above referenced matter. In accordance with County Real Property Division Ordinance Section 21.04.020, County Land Use Ordinance Section 22.70.050, and Section 23.01.042 of the Coastal Zone Land Use Ordinance, the matter will be scheduled for public hearing before the County Board of Supervisors. A copy of the appeal is attached.

The public hearing will be held in the Board of Supervisors' Chambers, County Government Center, San Luis Obispo. As soon as we get a firm hearing date and the public notice goes out, you will receive a copy of the notice.

Please feel free to telephone me at 781-5718 if you have any questions.

Sincerely,

Nicole Retana, Secretary  
County Planning Department

cc: Airlin Singwald, Project Manager

Bill Robeson, Supervisor

Jim Orton, County Counsel & Whitney McDonald, County Counsel



#867

## COASTAL APPEALABLE FORM

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

Promoting the Wise Use of Land • Helping to Build Great Communities

Please Note: An appeal should be filed by an aggrieved person or the applicant at each stage in the process if they are still unsatisfied by the last action.

## PROJECT INFORMATION

Name: Kingsion BayFile Number: ORC2012-00024

## Type of permit being appealed:

- ☐ Plot Plan    ☐ Site Plan    ☒ Minor Use Permit    ☐ Development Plan/Conditional Use Permit  
☐ Variance    ☐ Land Division    ☐ Lot Line Adjustment    ☐ Other: \_\_\_\_\_

## The decision was made by:

- ☐ Planning Director (Staff)    ☐ Building Official    ☒ Planning Department Hearing Officer  
☐ Subdivision Review Board    ☐ Planning Commission    ☐ Other: \_\_\_\_\_

Date the application was acted on: March 1st 2013

## The decision is appealed to:

- ☐ Board of Construction Appeals    ☐ Board of Handicapped Access  
☐ Planning Commission    ☒ Board of Supervisors

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## BASIS FOR APPEAL

☒ INCOMPATIBLE WITH THE LCP. The development does not conform to the standards set forth in the Certified Local Coastal Program of the county for the following reasons (attach additional sheets if necessary)

Explain: SEE ATTACHED

☐ INCOMPATIBLE WITH PUBLIC ACCESS POLICIES. The development does not conform to the public access policies of the California Coastal Act – Section 30210 et seq of the Public Resource Code (attach additional sheets if necessary).

Explain: \_\_\_\_\_

List any conditions that are being appealed and give reasons why you think it should be modified or removed.

Condition Number \_\_\_\_\_ Reason for appeal (attach additional sheets if necessary)

## APPELLANT INFORMATION

Print name: Bruce FosdikeAddress: 1551 Leonard Pl. Cambria Phone Number (daytime): 924-1930

I/We are the applicant or an aggrieved person pursuant to the Coastal Zone Land Use Ordinance (CZLUO) and are appealing the project based on either one or both of the grounds specified in this form, as set forth in the CZLUO and State Public Resource Code Section 30603 and have completed this form accurately and declare all statements made here are true.

[Signature]  
 Signature

March 6th 2013  
 Date

## OFFICE USE ONLY

Date Received: 3/8/13By: NARAmount Paid: 0Receipt No. (if applicable): N/A

Appeal of Kingston Bay Senior Living LLC

DRC2012-00024

Location – Corner of Ardath and Green St, Cambria

The following is an appeal to the County Board of Supervisors concerning the above project. The appeal is due to the lack of the planning department to seriously consider and implement the conditions that the North Coast Advisory Council required for their approval vote on November 28<sup>th</sup> 2012.

1. Relocate refuse containers due to sight issues from Ardath Rd.

This was the only condition that was met prior to the hearing.

2. Full right turn lane on Northbound Ardath Rd to Hwy 1.

The thought was that with the increased traffic back-up due to the facility would be alleviated by a dedicated right turn lane. A right turn is the preferred route of travel out of Cambria as all of the out of the area services are to the south. This is also the area of Lodge Hill and Marine Terrace's route of escape for emergencies (see fire and tsunami plans and maps). The increase in traffic is not only with employees of the facility (as the traffic engineers testimony gave at the hearing) but the 2 vans that the facility will be using to shuttle residents both to town and doctor appointments (most of which will be south as there is only 1 doctor in Cambria). Also not taken into account are the multiple physical and mental therapists that would normally frequent this type of establishment. With up to 41 residents that require this kind of medical assistance up to several times a week, traffic will be affected. Another concern for increased traffic is deliveries. This facility has a full time kitchen serving 3 meals and snacks a day. This will mean deliveries several times a week from food vendors using various sizes of trucks, possibly even tractor trailer rigs.

3. An 8 foot shoulder on Green and Ardath Roads and sidewalks.

With a facility of this size that is essentially an apartment complex with a communal kitchen/dining area and offices for staff; the idea was to allow the high percentage of ambulatory residents access to the local area for walking via sidewalks, access the corner bus stop (corner of Green and Ardath), and to insure that there was enough room for parked vehicles without encroaching into the roads. The road improvements need to include curb and gutter that are paved not aggregate as proposed.

4. Adequate parking provided on site.

This facility has 13 people working during daytime hours, with up to 4 personnel working at night or swing shifts. This means that there is a need for 14 parking spaces to include overlapping shifts. 2 spaces are taken by the 2 vans used by the facility for resident transportation and 2 handicapped spots required by the county. This equates to 18 spaces taken during the day. This does not include, as described above in #2 the transient needs for traveling therapists, deliveries, and visitors. This facility and the property that they have chosen to develop on is not conducive to having multiple vehicles parked near or around it due to the blind curve on Ardath and the relative

smallish size of Green Street. It was said by the developer that this facility could be accessed and used by the local population for their geriatric library and such to benefit the community. Where are they supposed to park? It was brought up during the NCAC meeting that additional parking was needed and the number of 24 spaces was discussed as considered adequate. Residents of Cambria, with its narrow winding streets should not be burdened with the parking needs of a large facility. They need to be self contained.

**5. Water collection on-site.**

This condition may have been met prior to the hearing, but it is of great concern to the agricultural community that what is generated on site – stays on site.

**6. Sight distance on Ardath Rd.**

Ardath is a downhill blind corner. As a driver traveling north on Ardath, you approach this left turn with a 30 mph speed as allowed by signage you need to slow to below that speed to allow for reaction time for vehicles coming out from the west side of Green St. There is a church at that corner and it can become quite busy at times. Adding another sizable facility at this junction multiplies this problem as now you will be distracted to the right for Kingston Bay and then immediately left for the church intersection. There is only a 6" space on the south bound side of Ardath between the fog line and the raised curb. With a bicyclist in the road and 2 cars passing in opposite directions there is nowhere for the bicyclists to go but up into the front yards. This concern is handled with the 10' widening of Ardath, the curb, gutter, and sidewalks. It will not mitigate the issue but will allow drivers to have more room to react if presented with the unexpected.

**7. The purpose of the North Coast Advisory Committee is by its definition - to develop a unified, cooperative effort among all individuals, organizations and public jurisdictions interested in furthering sound planning development, resulting in a positive quality of life to the North Coast Area. For this reason the Board must seriously consider these conditions and make them mandatory before this project impacts this area.**

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